



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: L. Pernille Olesen and Mogens N. Olesen  
Title: SHRUB ROSE PLANT NAMED 'POULaksel'  
Serial #: 10/647,013  
Date filed: 08/21/2003  
Art Unit: 1661  
Date: 14 April 2004

**RESPONSE TO REQUIREMENT FOR INFORMATION UNDER 37 CFR §1.105**

Sir/Madam:

Submitted herewith on form PTO-1449 is a listing of documents known to Applicants in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.97 and §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in response to a Requirement for Information Under 37 CFR §1.105. Applicants

Applicants submit that requested document European application number 19990065 dated 29 January, 1999 is not readily available to the party from which it was requested. This reply is accepted as a complete, under 37 CFR §1.105 (a)(3).

**FIRST DATE OF SALE OF THE VARIETY**

The first date of sale of plant material of 'POULaksel' occurred on 16 July 2001.

**CERTIFICATION AND FEE:**

The examiner has waived the certification and fee requirements set forth in 37 CFR §1.97 for those documents submitted in accordance with the reply to the Requirement for Information Under 37 CFR §1.105.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

Respectfully submitted,

Date: 14 April 2004

By

  
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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Mogens N. Olesen / Poulsen Roser A/S

Application No./Patent No.: 10/647,013 Filed/Issue Date: 08/21/2003

Entitled: Shrub Rose Plant Named 'Poulaksel'

Poulsen Roser A/S, a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 14480, Frame 0385, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

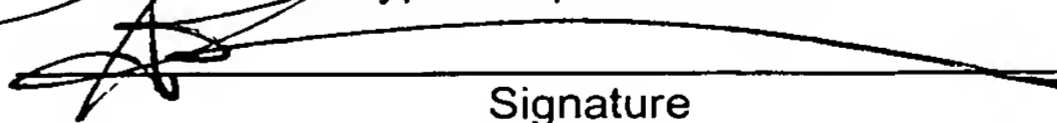
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

14 April 2004

Date

Kenneth S. Rynearson

Typed or printed name



Signature

Horticulturalist

Title



PTO/SB/08B (10-01)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/647,013
				Filing Date	8/21/03
				First Named Inventor	L. Pernille Olesen
				Group Art Unit	1661
				Examiner Name	June Hwu
Sheet	1	of	1	Attorney Docket Number	POULAKSEL

[illegible]

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.